

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

GERALD GUTHRIE

PLAINTIFF

VS.

CIVIL ACTION NO. 3:04CV953-WHB-AGN

CENTRAL PARKING SYSTEMS, INC.

DEFENDANT

OPINION AND ORDER

This cause is before the Court on Defendant's Motion in Limine to Exclude Surveillance Video and Summary, which was filed with the Clerk of the Court on November 29, 2005, under docket entry no. 33. Through this Motion, Defendant seeks to preclude the admission at trial of a surveillance video tape that an investigator for Defendant took of Plaintiff, as well as a written summary of the investigation provided by the investigator. The Motion is based on the provisions of Rules 401, 402 and 403 of the Federal Rules of Evidence. In response to the Motion, Plaintiff argues that "[j]ust because their evidence may support Guthrie's position does not make the information more prejudicial than probative." Response, ¶ 2. The Court agrees with Plaintiff. THE MOTION IS HEREBY DENIED.

SO ORDERED this the 7th day of December, 2005.

s/ William H. Barbour, Jr.
UNITED STATES DISTRICT JUDGE

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